

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Karen L. FEARON et al.

Application No.: 10/033,243

Confirmation No.: 8533

Filed: December 27, 2001

Art Unit: 1645

For: IMMUNOMODULATORY  
POLYNUCLEOTIDES AND METHODS OF  
USING THE SAME

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Examiner: P. Duffy

**STATEMENT OF THE SUBSTANCE OF THE INTERVIEW**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This communication is in response to the Interview Summary mailed April 7, 2008 (Paper No. 20080401). The Interview Summary states that a statement of the substance of the interview is due one month from the interview date of March 19, 2008 or one month from the mail date of the Interview Summary, April 7, 2008, whichever is later. Accordingly, this statement is due on May 7, 2008 and, as such, is timely filed.

**REMARKS**

Applicants' representatives, Catherine Polizzi and Terri Shieh-Newton, wish to thank Examiner Patricia A. Duffy for taking the time to conduct a telephonic interview on March 19, 2008 with Catherine Polizzi.

The subject of the telephone interview was the Notice of Non-Compliance mailed February 26, 2008. The Examiner and Applicants' representative discussed the claim amendments that were made in a previously-filed response (December 5, 2007). Upon further review, Examiner Duffy determined that the previously-filed response (December 5, 2007) was in compliance in view of newly presented claims 49 to 53 being identical to claims 49 to 53 of the response filed in August of 2007. The Examiner agreed that the amendment was in compliance even though the claims recite new amendments because the amendments properly amended the now entered after final amendment.

In the event the U.S. Patent and Trademark Office determines that an extension and/or other relief is required, Applicant petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket number 377882001800. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account

Dated: May 7, 2008

Respectfully submitted,

Electronic signature: /Terri Shieh-Newton/  
Terri Shieh-Newton

Registration No.: 47,081  
MORRISON & FOERSTER LLP  
755 Page Mill Road  
Palo Alto, California 94304-1018  
(650) 813-5777